

1 and jugs; all cardboard; magazines; office paper; residential mixed paper (office paper, junk mail,
2 catalogs, and paper board such as cereal/food boxes); and other local recyclable processor agreed
3 upon materials.

4 *Recycling* means the process by which recovered materials are collected, separated,
5 processed, and reused as materials for the manufacturing of new consumer products.

6 *Recycling collection* means a receptacle, including, but not limited to, a container or
7 dumpster, designed for the purpose of collecting recyclable materials, with sufficient capacity to
8 provide collection without overflowing or spilling.

9 *Service provider* means the person, corporation, partnership, or entity awarded the contract by
10 the multi-family housing community's authorized management agent which provides cart or
11 dumpster services and/or recyclable materials collection, hauling, and delivery.

12 **Section 3.** The owner and or manager of each multi-family housing residence of 100 or more
13 dwelling units shall provide recycling and encourage participation by the tenants, renters, or owners of
14 each living unit in such multi-family residence.

15 **Section 4.** Information and education shall be provided by multi-family housing staff to the tenants,
16 renters, or owners about the recycling program and the items that are recyclable. The information shall
17 include, but is not limited to, flyers or other forms of communication. Information shall be provided to all
18 existing tenants at the start of the program and shall be provided to all new tenants at the time of
19 occupancy. Information shall include materials accepted, recycling containers, locations and service
20 frequency. Multi-family management shall document in writing that the recycling program information
21 has been provided to tenants and employees.

22 **Section 5.** The recycling program at each multi-family residence shall ensure that each living unit
23 has access to a sufficient container or containers suitable for the collection of recyclables as defined in
24 this chapter. The type and frequency of collection service, and the type, number and size of recyclable
25 containers, shall be determined based on the disposal needs of the particular multi-family residence
26 location. Collection shall be frequent enough so as to prevent the containers from overflowing. A
27 contract with a licensed private service provider, or copies of receipts from a facility duly licensed for the
28 disposal of recyclables, shall be evidence the recyclables are being collected in accordance with this
29 section. Such documentation shall be presented by the licensed service providers, no less than annually,
30 to the City's Sustainability Officer.

31 **Section 6.** Recycling, including containers, shall not be placed in a location that obstructs pedestrian
32 or vehicular traffic patterns within the development.

1 **Section 7.** Recycling containers shall be well-maintained by the service provider and the containers
2 provided shall be visually distinct and identified for the deposit of recyclables so as to differentiate
3 recycling containers from trash containers.

4 **Section 8.** Recycling containers shall be located within close proximity of trash collection containers
5 or collection points and provide continuous access for tenants and facility maintenance personnel. Multi-
6 family housing staff may request a modification from the City of Little Rock's Public Works Department
7 on the location of exterior containers by requesting a waiver in writing on a form provided by the City so
8 long as the placement or servicing issue meets one of the following conditions:

- 9 - Site plan limitations, obstructions, physical layout, or topography.
- 10 - Violation of one or more other City Codes.
- 11 - Vehicle parking space limitations.
- 12 - Vehicle access limitation.

13 **Section 9.** Each licensed private service provider providing recyclable collection services to multi-
14 family residences within the City shall report, on a form provided by the City, the total number of living
15 units served for such multi-family residences and the total number of tons of recyclable materials
16 collected. Reports from such collection shall be provided to the City on a quarterly basis.

17 **Section 10.** The City of Little Rock has the right to visit and inspect the premises to evaluate whether
18 an ordinance violation has occurred or to investigate a complaint.

19 **Section 11.** Each licensed service provider shall deliver all residential recyclables to facilities in
20 accordance with existing laws and city ordinances.

21 **Section 12.** Failure to comply with any of the requirements of Sections 3-9 shall be subject to the
22 penalty provisions as set forth in Section 1-9 of the Little Rock City Code of Ordinances.

23 **Section 13.**

24 (a) All multi-family housing, regardless of the number of dwelling units, is encouraged
25 to comply with the provisions of this ordinance as soon as is practical from and after
26 its passage.

27 (b) Notwithstanding the provisions of Section 13(a) of this ordinance, all multi-family
28 housing consisting of 100 units or more shall have until January 1, 2015, to come into
29 compliance with the provisions of this ordinance. Following successful
30 implementation, it is the intention of the City of Little Rock to expand the provisions
31 of this ordinance to additional multi-family housing. The Public Works Department
32 may grant a modification of the compliance date required in this subsection upon a
33 showing of good cause.

34 **Section 14. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or

1 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
2 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
3 effect as if the portion so declared or adjudged to be invalid or unconstitutional were not originally a part
4 of the ordinance.

5 **Section 15. Repealer.** All laws, ordinances, resolutions, or parts of the same that are
6 inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

7 **PASSED: March 4, 2014**

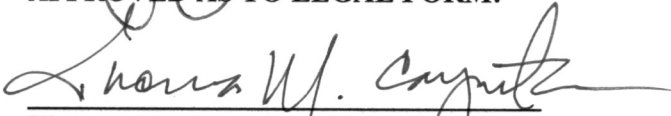
8 **ATTEST:**

APPROVED:

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11 _____
12 **Susan Langley, City Clerk**


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14 **Mark Stodola, Mayor**

12 **APPROVED AS TO LEGAL FORM:**

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15 _____
16 **Thomas M. Carpenter, City Attorney**

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